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(N.C. Bar No. 6149)

September 15, 2023

Ms. Shonta Dunston, Chief Clerk  
North Carolina Utilities Commission  
Mail Service Center 4325  
Raleigh NC 27699 -4300

RE: Docket Nos. W-1343, Sub 0; W-1139, Sub 7; W-1139, Sub 4

Dear Ms. Dunston:

On February 10, 2023 GWWTP, LLC filed an Application with the Commission in Docket No. W-1139, Sub 7 and Docket No. W-1343, Sub 0 for a transfer of a certificate of public convenience and necessity on behalf of that Company from GWWRA. By order issued November 20, 2009 in Docket No. W-1139, Sub 4, the Commission appointed William G. Freed of Enviro-Tech of North Carolina, Inc. as emergency operator for the Ginguite Woods wastewater system. As stated in the February 10, 2023 application, upon the GWWTP acquisition of ownership and control from GWWRA, the need for continuation of operation by an emergency operator ended. Likewise, as stated in the February 10, 2023 application, GWWTP understood that should the Commission grant the relief requested, Enviro-Tech and William Freed would request that they be relieved as the formal emergency operator, thereby obtaining authority to relinquish such formal authority actually relinquished in 2001.

On July 31, 2023 the Public Staff submitted its deficiency letter with respect to the February 10, 2023 application. Representatives of GWWTP in the meantime have met with the Public Staff to address the Public Staff's deficiency issues. GWWTP understands that the Public Staff requests that a petition be filed on behalf of William G. Freed and Enviro-Tech of North Carolina, Inc. for permission to be relieved of the emergency operator status.

Please accept for filing the following document in the above captioned dockets: Petition to Terminate Appointment of Emergency Operator executed on December 5, 2022 and verified by William G. Freed.

Thank you for your attention to this matter.

cc. Public Staff

Sincerely,  
Edward S. Finley, Jr., PLLC  
/s/ Edward S. Finley, Jr.  
Edward S. Finley, Jr.  
Counsel for GWWTP, LLC.

## CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Petition to Terminate Appointment of Emergency Operator was duly served upon parties of record either by depositing same in a depository of the United States Postal Service, first class postage prepaid, or by electronic delivery.

This the 15th day of September, 2023

Edward S. Finley, Jr.,  
/s/ Edward S. Finley, Jr.  
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COUNSEL FOR GWWTP, LLC

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

Docket No. W-1139, Sub , Sub 4

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of

|  |   |  |
|--|---|--|
| Termination of the Appointment of Emergency Operator of the Ginguite Woods Subdivision Sewer Utility System in Dare County, North Carolina | ) | <b>PETITION TO TERMINATE APPOINTMENT OF EMERGENCY OPERATOR</b> |
|--|---|--|

NOW COME William G. Freed and Enviro-Tech of North Carolina Inc, to request the commission acknowledge a financially viable and responsible party exists who desires to own and operate the franchise providing service to the Ginguite Woods subdivision sewer utility system in Dare County, North Carolina.

1. By order issued November 20, 2009 in this docket the Commission determined that an emergency existed with the sewer utility system serving the Ginguite Woods subdivision; that there was an imminent danger of loss of adequate sewer utility service, constituting an emergency pursuant to N. C. Gen. Stat. § 62-116(b); that an emergency operator should be appointed.
2. In that order the Commission ordered that Enviro-Tech of North Carolina Inc. was thereby appointed as the emergency operator of the sewer utility system serving Ginguite Woods Subdivision in Dare County, North Carolina.
3. The order further held that the appointment of the emergency operator should continue until terminated by an order of the Commission finding that the emergency had ended

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and that the emergency operator was no longer required pursuant to N.C. Gen. Stat. § 62-118(b) to provide sewer public utility service to the customers of the Ginguite Woods Subdivision.

4. The order further held that the emergency operator could petition the Commission at any time to be discharged as the emergency operator.

5. At the time of the November 20, 2009 order, the certificate of public convenience and necessity was held by Ginguite Woods Water Reclamation Association Inc. ( sometimes “GWWRA”), owned by Neil Blenkin. Ginguite Woods Water Reclamation Association Inc. was granted the franchise to serve the subdivision by order dated August 13, 2003 in Docket No. W-1139, Sub 0.

6. For many years the original holder of the franchise has had no active role in Ginguite Woods.

7. November 20, 2009 marked the termination of any active or ownership role played by GWWRA for the Ginguite Woods wastewater system.

8. Upon GWWRA’s relinquishment of ownership and control from GWWRA the need for continuation of operation by an emergency operator ended.

9. On or about August 2021 Enviro-Tech (the former dba William G. Freed Inc.) ceased to provide services within Ginguite Woods.

10. Beginning April 2022, Atlantic OBX has served as the contract operator of the Ginguite Woods wastewater system. The current owner intends to rely upon Atlantic OBX, another qualified system operator as the contract operator or perhaps its own employees.

11., Enviro-Tech of North Carolina Inc. requests relief from the requirement that it provide an acceptable accounting to the Commission of all monies collected and disbursed during its tenure as emergency operator. Reports were filed as requested throughout the period Envirotech (the former dba William G. Freed Inc.) operated the system on behalf of Envirotech of North Carolina Inc. Those reports should have satisfied the reporting requirements, Mr Freed no longer has access to any financial records.

11. Upon Termination by the Commission notification should be provided to the Dare County Health Department, the Division of Environmental Health and the Division of Water Quality by the new operator or franchise holder.

12. Wherefore, Enviro-Tech requests that the Commission should be able to see the merit of releasing Enviro-Tech of North Carolina Inc as emergency operator as outlined in the aforementioned condition #3 of this document and supported in other associated documents.

Respectfully submitted, this 5<sup>th</sup> day of December 5, 2022.

Enviro-Tech of North Carolina Inc.



William G. Freed

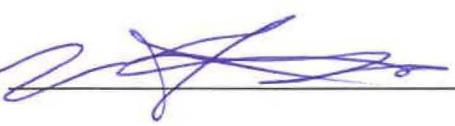
STATE OF NORTH CAROLINA

VERIFICATION

DARE COUNTY

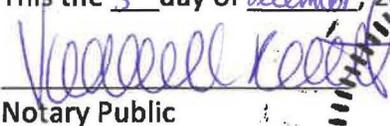
WILLIAM G. FREED, being first duly sworn, deposes and says that he is the President of Enviro-Tech of North Carolina , Inc., that he has read the Petition to Terminate Appointment as Emergency Operator and that the same is true to his knowledge, except as to those matters and things alleged upon information and belief, which he believes to be true.

This the 5<sup>th</sup> day of Dec 2022.

By: 

William G. Freed, President, Enviro-Tech of North Carolina, Inc.

Sworn to and subscribed before me  
This the 5<sup>th</sup> day of December, 2022

  
Notary Public

